

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

AMENDED JUDGMENT ON ATTORNEY FEES

CONNIE MATHER and SCOTT MATHER as *Parents and Natural Guardians of S.M., a Minor Child*

vs.

CASE NUMBER: 5:04-CV-917 (FJS/GJD)

WILLET DAIRY, LP; WILLET DAIRY, LLC; WILLET DAIRY, INC.; DENNIS ELDRED; and SCOTT ELDRED

Decision by Court. This action came to hearing before the Court.

The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the defendants' Motion for Summary Judgment is Granted with respect to the Clean Water Act, Resource Conservation & Recovery Act, Rivers & Harbors Act and NY Environmental Conservation Law claims as well as plaintiff's Request for a Declaratory Judgment and further dismissing without prejudice the pendent state-law claims for negligence, trespass and public and private nuisance.

That the defendants' Motion for Attorneys Fees is granted in part and denied in part, defendants' are awarded \$23,799.00 in attorney fees.

All of the above pursuant to the Orders of the Honorable Judge Frederick J. Scullin, Jr., dated 7/17/2007 and 3/31/2009.

DATED: March 31, 2009



Lawrence D. Baum
Clerk of Court

Joanne Bleskoski
Deputy Clerk